

**FIRST AMENDMENT TO SETTLEMENT AGREEMENT
BETWEEN THE DEPARTMENT OF TOXIC SUBSTANCES CONTROL
AND JULIO BRINCAT (EPA ID NO. CAL000203437)**

The California Department of Toxic Substances Control (Department) and Julio Brincat, d.b.a. Brincat's High Tech (Respondent) entered into a Settlement Agreement on March 8, 2005 to resolve the violations stated in the Department's Decision in the matter of Julio Brincat, d.b.a. Brincat's High Tech, Docket No. HWCA No. SRPD01/02NNS-4257, issued on November 25, 2002. Under the terms of the Settlement Agreement, Respondent agrees to pay the Department \$12,000 in installment payments. Respondent has been making installment payments to the Department and the balance owed by Respondent to the Department is \$6,330. The Department and Respondent hereby enter into this First Amendment to Settlement Agreement and agree as follows:

The Department agrees to accept \$5,500 in full settlement of the balance owed by Respondent to the Department under the terms of the Settlement Agreement. Respondent agrees to send \$5,500 to the Department no later than October 25, 2005 in the manner as provided by paragraph 5 of the Settlement Agreement.

The effective date of this First Amendment is the date it is signed by the Department.

Dated: October 21, 2005

Original signed by Julio Brincat
Julio Brincat, d.b.a. Brincat High Tech Towing

Dated: October 25, 2005

Original signed by Charles A. McLaughlin
Charles A. McLaughlin, Chief
State Oversight and Enforcement Branch
Statewide Compliance Division
Department of Toxic Substances Control